

Appendix B

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.

Plaintiff,

vs.

Case No. 3:10-cv-03561-WHA

GOOGLE, INC.,

Defendant.

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY
PURSUANT TO THE PROTECTIVE ORDER

VIDEO DEPOSITION OF GREGORY K. LEONARD, Ph.D.

San Francisco, California

Friday, March 11, 2016

Volume I

REPORTED BY:

REBECCA L. ROMANO, RPR, CSR No. 12546

JOB NO. 2241706

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1 with the development of Android TV?

2 MR. PURCELL: Object to the form.

3 THE DEPONENT: Again, I don't know one
4 way or the other, as I'm sitting here.

5 Q. (By Ms. Hurst) Same question with
6 respect to Brillo and Weave, and Google's other
7 Internet of things-related offerings?

8 MR. PURCELL: Object to the form.

9 THE DEPONENT: Let me take a look here
10 just to be sure I don't have something about it in
11 my report.

12 Yeah, I don't have any more details, so I
13 don't know as I'm sitting here.

14 Q. (By Ms. Hurst) And with respect to the
15 marketing, legal, sales, G&A, did those include
16 expenses for these other flavors of Android,
17 Android TV, Android Auto, Android Wear, Brillo?

18 Are those included?

19 MR. PURCELL: Object to the form.

20 THE DEPONENT: I think the answer would
21 be the same, as I'm not sure as I'm sitting here.

22 Q. (By Ms. Hurst) Would you turn to
23 Schedule 2b of your report, please.

24 A. Okay.

25 Q. Now, what is Schedule 2b?

1 A. Schedule 2b gives a list of applications
2 and the -- basically, whether they were developed
3 using the NDK, the SDK, or unknown.

4 Q. And NDK is what?

5 A. NDK is called the Native Development Kit.
6 It's Android -- it's support, basically, for
7 developing an application in C++.

8 Q. And what is SDK?

9 A. SDK is the -- is the development kit for
10 people who want to develop applications in Java.

11 Q. All right. Now, how do you know for
12 Schedule 2b whether these applications were
13 developed using the NDK, SDK, or one of the other
14 options that are listed here?

15 A. Ultimately, I heard from people at
16 Google.

17 Q. Okay. And is that reflected in your note
18 to Schedule 2b that says, "Programming languages
19 are identified by Google"?

20 A. Yes.

21 Q. And where did they identify that?

22 A. They produced a -- a spreadsheet that
23 gave the indications.

24 In a way, this is just sort of printing
25 out that spreadsheet.

1 Q. Who produced that spreadsheet?

2 A. The people at Google did.

3 Q. Which people?

4 A. I'm not -- I can't recall at this point
5 which individual did it.

6 Q. What analysis did they perform?

7 A. My understanding is they do keep track
8 of -- of how applications are developed. And so
9 they consulted that.

10 Q. How do they keep track of it?

11 A. I don't know the details of that.

12 Q. What did they consult?

13 MR. PURCELL: Object to the form.

14 THE DEPONENT: I think they have internal
15 information that they're looking at.

16 Q. (By Ms. Hurst) Were those documents
17 produced in this case?

18 A. I don't know.

19 Q. Did you do anything to verify this
20 information?

21 A. I wouldn't say that I verified each one
22 of these, no. That's why I was asking Google to
23 provide that information.

24 Q. And that's why you printed their
25 spreadsheet?

1 A. No. I printed their spreadsheet just to
2 provide the information.

3 Q. Well, did you rely on Schedule 2b in your
4 analysis anywhere?

5 A. Yes.

6 Q. What did you rely on Schedule 2b for?

7 A. Well, I think I talk, for instance, about
8 the number of these applications that are NDK
9 versus -- versus Java.

10 Q. And what significance did you take from
11 that?

12 A. That a lot of the applications are
13 written in C++.

14 Q. And what significance did you take from
15 that?

16 A. Just, again, demonstrates that -- I mean,
17 this -- the particular purpose of this is to --
18 these are also, by the way, multi-honed
19 applications.

20 So -- but the -- you know, the purpose of
21 this is to say, well, look, there's a lot of
22 applications that are written in C++, there's
23 actually relatively fewer that are written in Java.

24 And, you know, that suggests again that,
25 you know, there's -- developers are going to be

1 I, Rebecca L. Romano, a Certified Shorthand
2 Reporter of the State of California, do hereby certify:

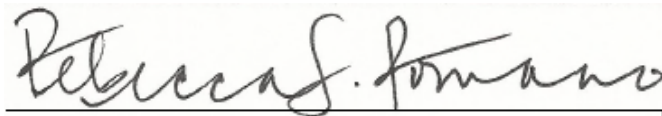
3 That the foregoing proceedings were taken before me
4 at the time and place herein set forth; that any
5 witnesses in the foregoing proceedings, prior to
6 testifying, were administered an oath; that a record of
7 the proceedings was made by me using machine shorthand
8 which was thereafter transcribed under my direction;
9 that the foregoing transcript is true record of the
10 testimony given.

11 Further, that if the foregoing pertains to the
12 original transcript of a deposition in a Federal Case,
13 before completion of the proceedings, review of the
14 transcript [] was [X] was not requested.

15 I further certify I am neither financially
16 interested in the action nor a relative or employee of
17 any attorney or any party to this action.

18 IN WITNESS WHEREOF, I have this date subscribed my
19 name.

20
21 Dated: March 14, 2016

22
23 

24 Rebecca L. Romano, RPR,
25 CSR. No 12546